

1 THE HONORABLE ROBERT J. BRYAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9 THE CITY OF TACOMA, a municipal
10 corporation,

NO. C97-5504 RJB

11 Plaintiff,

12 v.

ORDER

13 GREAT AMERICAN INSURANCE
14 COMPANIES, an Ohio corporation, et al.,

15 Defendants.

16 THIS MATTER having come before the Court pursuant to the Stipulation of the City
17 of Tacoma and Great American Insurance Companies it is hereby

18 ORDERED, ADJUDGED and DECREED

19 The Court hereby accepts as stipulated in connection with the parties' cross motions
20 for summary judgment regarding defense costs:

21 During the period July 13, 1999 to January 2005 Great American (a) did not assert that
22 the 1994 Settlement Agreement and Release released the City's NRDA defense costs, and;
23 (b) recognized and agreed to pay portions of the City's NRDA defense costs claim, although
24 the parties disagreed on the amounts that Great American should pay.

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26 STIPULATION and ORDER - 1 of 2
(Error! Reference source not found.)
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LAW OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
ONE UNION SQUARE
600 UNIVERSITY, SUITE 2100
SEATTLE, WASHINGTON 98101-4185
(206) 676-7500 - FACSIMILE (206) 676-7575

Further, the Court hereby strikes Exhibit C to the Supplemental Declaration of Timothy J. Whitters [part of Docket No. 133].

IT IS SO ORDERED this 4th day of August, 2005.

Robert J. Bryan

ROBERT J. BRYAN
United States District Judge

**STIPULATION and ORDER - 2 of 2
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